

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

DONALD CHRISTOPHER BURGO
LA. DOC.#197078

v.

N. BURL CAIN, ET AL

* CIVIL ACTION NO. 2:15-cv-668
* SECTION P
*
* JUDGE MINALDI
*
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* MAGISTRATE JUDGE KAY

JUDGMENT

For the reasons stated in the Report and Recommendation (Rec. Doc. 11) of the Magistrate Judge previously filed herein, after an independent review of the record, a *de novo* determination of the issues, and having determined that the findings are correct under applicable law,

IT IS ORDERED that this instant action is **DISMISSED WITHOUT PREJUDICE** because the instant petition constitutes a second or successive habeas petition within the meaning of 28 U.S.C. § 2244(b) filed without prior authorization of the United States Fifth Circuit Court of Appeals.

IT IS FURTHER ORDERED that Burgo's civil rights claims as described herein be **DENIED AND DISMISSED WITHOUT PREJUDICE** to his ability to pursue such claims by filing the appropriate action.

Lake Charles, Louisiana, this 10 day of December, 2015.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE